

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
FEBRUARY 8, 2007**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 06-0709-UST
 Order Date: December 1, 2006
 Respondent: **Estes Express Lines**
 Facility: Estes Express Lines
 Location/Mailing Address: 1112 Key Rd
 Columbia, SC 29201
 County: Richland
 Previous Orders: None
 Permit/ID Number: 12188
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a), 280.34(c), and 280.40(a)

Summary: Estes Express Lines owns and operates underground storage tanks located at 1112 Key Rd in Columbia, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously, failure to provide records to the Department, and failure to provide adequate release detection methods.

Action: The Respondent has corrected the violations as of November 16, 2006.

- 2) Order Type and Number: Consent Order 06-0660-UST
 Order Date: December 5, 2006
 Respondent: **Upstate Convenience, Inc.**
 Facility: Highway 9 Food Mart
 Location/Mailing Address: 1225 Jonesville Lockhart Hwy
 Union, SC 29379
 County: Union
 Previous Orders: None
 Permit/ID Number: 18159
 Violations Cited: UST Control Regulations, R.61-92,
 §280.10(e)

Summary: Upstate Convenience, Incorporated owns and operates underground storage tanks located at 1225 Jonesville Lockhart Highway in

Union, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into an underground storage tank system for which the owner does not hold a currently valid registration.

Action: The Respondent corrected the violation and paid a one thousand dollar (**\$1,000.00**) civil penalty.

- 3) Order Type and Number: Consent Order 06-0692-UST
 Order Date: December 5, 2006
 Respondent: **Sommers Oil Company, Inc.**
 Facility: BP Oil Company 24138
 Location/Mailing Address: 19103 Whyte Hardee Blvd.
 Hardeeville, SC 29927

 County: Jasper
 Previous Orders: None
 Permit/ID Number: 05257
 Violations Cited: UST Control Regulations, R.61-92,
 §280.10(e)

Summary: Sommers Oil Company, Incorporated, A Georgia corporation, supplies underground storage tanks located at 19103 Whyte Hardee Boulevard in Hardeeville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: introduction of petroleum or petroleum products into an underground storage tank system for which the owner does not hold a currently valid registration.

Action: The Respondent paid a one thousand dollar (**\$1,000.00**) civil penalty.

- 4) Order Type and Number: Consent Order 06-0552-UST
 Order Date: December 6, 2006
 Respondent: **Rekha Patel**
 Facility: Naimik L.L.C.
 Location/Mailing Address: 300 S. Pleasantburg Dr.
 Greenville, SC 29607

 County: Greenville
 Previous Orders: None
 Permit/ID Number: 13154
 Violations Cited: UST Control Regulations, R.61-92,
 §280.93(a) and 280.110(c).

Summary: Rekha Patel owns and operates underground storage tanks located at 300 S. Pleasantburg Dr. in Greenville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations

as follows: failure to demonstrate financial responsibility and failure to provide records to the Department upon request.

Action: The Respondent has corrected the violations and paid the civil penalty in the amount of five hundred dollars **(\$500.00)**.

- 5) Order Type and Number: Administrative Order 06-0080-UST
 Order Date: October 24, 2006
 Respondent: **Ernest W. Prosser, III**
 Facility: EZ E Convenience Store
 Location/Mailing Address: 1557 Eastland Ave.
 Kingstree, SC 29556
 County: Williamsburg
 Previous Orders: None
 Permit/ID Number: 18920
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a); R.61-92, §280.93(a), R.61-92, §280.34(c); R.61-92,
 §280.111(c)

Summary: Ernest W. Prosser, III, d. b. a. EZ E Convenience Store, owns and operates underground storage tanks located at 1557 Eastland Avenue in Kingstree, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method, failure to demonstrate financial responsibility, and failure to supply records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of eight thousand eight hundred twenty-five dollars **(\$8,825.00)** when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by either providing tightness test results and current release detection records for the tanks, or emptying the tanks to less than one inch; and, submitting financial responsibility documentation. The Administrative Order was not appealed.

Solid Waste Enforcement

- 6) Order Type and Number: Consent Order 06-05-MSWM
 Order Date: December 5, 2006
 Respondent: **J.C. Wilkie Construction, LLC**
 Facility: J.C. Wilkie Construction Site
 Location/Mailing Address: 349 Buck Corley Ct /P.O. Box 1350
 Lexington, SC/Lexington, SC
 29071
 County: Lexington

Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Mining Act, S.C. Code Ann. § 48-20-60 (Supp. 2005).

Summary: J.C. Wilkie Construction, LLC (Respondent) engaged in mining without having first obtained an operating permit that covered the affected land. This constitutes a violation of the South Carolina Mining Act.

Action: The Respondent must obtain a permit for the Site or reclaim the Site according to the requirements of the Department and to pay a civil penalty of three hundred dollars (**\$300.00**). The civil penalty has been paid.

7) Order Type and Number: Consent Order 06-25-SW
Order Date: December 15, 2006
Respondent: **Greer Municipal Solid Waste Transfer Station**
Facility: N/A
Location/Mailing Address: 590 Gilliam Road, Spartanburg County, Greer SC/Post Office Box 219, Pineville, SC 29134
County: Spartanburg
Previous Orders: None
Permit/ID Number: 422323-6001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Transfer of Solid Waste, 25A S.C. Code Ann. Regs. 61-107.7.C.2., F.1., F.2., F.3., & G.2. (Supp. 2005), Used Oil, 25A S.C. Code Ann. Regs. 61-107.279.12.h. (Supp. 2005), and Permit ID # 422323-6001.

Summary: Greer Municipal Solid Waste Transfer Station (Respondent) failed to comply with the Transfer of Solid Waste Regulation and its Permit by not following the approved design plans submitted with its permit application. Additionally, the Respondent had recurring violations with housekeeping (litter, odor and cleanliness) and allowed leachate to leave the tipping floor area and flow off of the driveway onto adjacent grassed areas. The Respondent further allowed the discharge of used oil to the environment.

Action: The Respondent must submit to the Department for review and approval, a plan that addresses compliance with the violations cited in the order, including any permit modification(s), to properly bring the Respondent into compliance, and pay a civil penalty in the amount of thirty-one thousand dollars (**\$31,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 8) Order Type and Number: Consent Order 06-213-DW
 Order Date: December 4, 2006
 Respondent: **Aiken Hospitality Group, LLC**
 Facility: Country Inn & Suites
 Location/Mailing Address: 3270 Whiskey Road
 Aiken, S.C. 29803
 County: Aiken
 Previous Orders: None
 Permit/ID Number: 02-1012B
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51
 (B)(7)

Summary: Aiken Hospitality Group, LLC (Respondent) owns and is responsible for the Pool (02-1012B). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to obtain final written approval to operate prior to placing the pool into operation.

Action: The Respondent has agreed to: pay a civil penalty in the amount of one hundred dollars (**\$100.00**).

- 9) Order Type and Number: Consent Order 06-219-DW
 Order Date: December 15, 2006
 Respondent: **Lighthouse Motel and Fishing
 Pier, Inc.**
 Facility: Lighthouse Motel
 Location/Mailing Address: 110 North Ocean Blvd.
 Myrtle Beach, S.C. 29577
 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-111B
 Violations Cited: 24A S.C. Code Ann. Regs. 61-
 51(K)(1)(c), 61-51(K)(1)(d) and 61-51(J)

Summary: Lighthouse Motel and Fishing Pier, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Pool (Permit No. 26-111B). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the pool in accordance with all applicable State laws and regulations; and pay a civil penalty in the amount of two thousand seven hundred twenty dollars (**\$2,720.00**).

- 10) Order Type and Number: Consent Order 06-220-DW
 Order Date: December 15, 2006
 Respondent: **Atlantic Paradise Inn, Inc.**
 Facility: Atlantic Paradise Inn
 Location/Mailing Address: 1401 South Ocean Boulevard
 Myrtle Beach, S.C. 29577

 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-H44C
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)

Summary: Atlantic Paradise Inn, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Pool (Permit No. 26-H44C). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the pool in accordance with all applicable State laws and regulations; and pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**).

- 11) Order Type and Number: Consent Order 06-221-DW
 Order Date: December 15, 2006
 Respondent: **Coastal Hotel Properties, LLC**
 Facility: Holiday Inn West
 Location/Mailing Address: 101 Outlet Boulevard
 Myrtle Beach, S.C. 29577

 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-849D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-
 51(K)(1)(c), 61-51(K)(1)(d) and 61-51(J)

Summary: Coastal Hotel Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the Spa (Permit No. 26-849D). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the spa in accordance with all applicable State laws and regulations; and pay a civil penalty in the amount of two thousand five hundred twenty dollars (**\$2,520.00**).

- 12) Order Type and Number: Consent Order 06-223-DW
 Order Date: December 4, 2006
 Respondent: **Jeram Partnership, LLC**
 Facility: Quality Inn
 Location/Mailing Address: 1004 South Ocean Blvd.
 Myrtle Beach, S.C. 29577

 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-J60D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)
 Project Manager: **Jeffrey Schrag**

Summary: Jeram Partnership, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the Spa (Permit No. 26-J60D). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**).

- 13) Order Type and Number: Consent Order 06-224-DW
 Order Date: December 4, 2006
 Respondent: **Royal Garden Resort Regime**
 Homeowners Association, Inc.
 Facility: Royal Garden Resort
 Location/Mailing Address: P.O. Box 6723
 Columbia, S.C. 29260

 County: Horry
 Previous Orders: None
 Permit/ID Number: 26-E63D
 Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 and 61-51(K)(1)(d)

Summary: Royal Garden Resort Regime Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Spa (Permit No. 26-E63D). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the spa at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**).

- 14) Order Type and Number: Consent Order 06-225-DW
 Order Date: December 4, 2006
 Respondent: **Utilities Services of South
Carolina, Inc.**
 Facility: USSC/Purdy Shores
 Location/Mailing Address: P.O. Box 4509
 West Columbia, S.C. 29171
 County: Abbeville
 Previous Orders: None
 Permit/ID Number: 0150014
 Violations Cited: S.C. Code Ann. Regs. 61-58.5 (H)(2)
 and 61-58.5(H)(3)

Summary: Utilities Services of South Carolina, Inc. (USSC) (Respondent) owns and is responsible for the proper operation and maintenance of the public water system (PWS) No. 0150014. The Respondent has violated the State Primary Drinking Water Regulations as follows: produced running annual averages (RAA) that exceeded the maximum contaminant level (MCL) for combined Radium 226/228 and Gross Alpha particle activity during the compliance periods of July 2004 – June 2005, October 2004 – September 2005 and January 2005 – December 2005.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit for review and approval a proposed schedule for the installation of a Radium 226/228 removal treatment system or a submittal package for the installation of a new public supply well; contact the Region 1 Greenwood EQC Office following the installation of the Radium 226/228 removal treatment system or a new public supply well to obtain final approval to operate; and pay a **stipulated** penalty in the amount of six thousand eight hundred dollars (**\$6,800.00**) if it fails to meet any requirement of this Order.

- 15) Order Type and Number: Consent Order 06-228-DW
 Order Date: December 15, 2006
 Respondent: **Bruce Atkinson d/b/a Walnut
Ridge MHP**
 Facility: Walnut Ridge MHP
 Location/Mailing Address: 3605 Evans Mill Rd.
 Pageland, S.C. 29728

<u>County:</u>	Chesterfield
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	1360019
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-58.5(B)

Summary: Bruce Atkinson (Respondent) d/b/a Walnut Ridge Mobile Home Park (MHP) is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for arsenic.

Action: The Respondent has agreed to: submit a permit application for a new well; complete new well construction and connection to the existing distribution system; schedule an inspection with the Region 4 Florence EQC Office for final approval to operate; properly abandon the existing well; and pay a **stipulated penalty** of two thousand eight hundred dollars (\$2,800.00) if he fails to comply with any requirement of this Order.

16)	<u>Order Type and Number:</u>	Consent Order 06-229-DW
	<u>Order Date:</u>	December 15, 2006
	<u>Respondent:</u>	Palmetto Greens Property Owners Association, Inc.
	<u>Facility:</u>	Palmetto Greens
	<u>Location/Mailing Address:</u>	2898 Mashie Drive Myrtle Beach, S.C. 29577
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-J08C
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(d)

Summary: Palmetto Greens Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Pool (Permit No. 26-J08C). The Respondent has violated the Public Swimming Pools Regulation as follows: failure to properly operate and maintain the pool at the above referenced site.

Action: The Respondent has agreed to: operate and maintain the pool in accordance with all applicable State laws and regulations; and pay a civil penalty in the amount of two thousand forty dollars (\$2,040.00).

Water Pollution Enforcement

- 17) Order Type and Number: Consent Order 06-202-W
 Order Date: December 01, 2006
 Respondent: **Baby Hughey, LLC**
 Facility: Arbor Glen Subdivision WWCS
 Location/Mailing Address: 16 Thames Drive
 Taylors, S.C. 29687
 County: Greenville
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp.
 2005)

Summary: Baby Hughey, LLC (Respondent) owns and is responsible for a wastewater collection system (WWCS) constructed to serve the residents of Arbor Glen Subdivision in the City of Greenville, South Carolina. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to obtain a permit before construction of a WWCS.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations; upon receipt of the permit to construct, submit a request to the Region 2 Greenville EQC Office for approval to operate the WWCS; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

- 18) Order Type and Number: Consent Order 06-205-W
 Order Date: December 4, 2006
 Respondent: **Carolina Pride Foods, Inc.**
 Facility: Greenwood Packing Facility
 Location/Mailing Address: Number One Packer Avenue
 Greenwood, S.C. 29648
 County: Greenwood
 Previous Orders: 05-061-A (\$20,000)
 Permit/ID Number: SCR002249
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)

Summary: Carolina Pride Foods, Inc. (Respondent) is responsible for the operation and maintenance of the Greenwood Packing Company facility (Site). The Respondent has violated the Pollution Control Act as follows: discharged wastewater into the environment.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a Corrective Action Plan (CAP) to include a summary of the actions taken to prevent future violations; and pay a civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00). The penalty has been paid.

- 19) Order Type and Number: Consent Order 06-206-W
 Order Date: December 4, 2006
 Respondent: **S.C. Public Service Authority**
 Facility: Cross Generating Station
 Location/Mailing Address: P.O. Box 29461
 Moncks Corner, S.C. 29461
 County: Berkeley
 Previous Orders: 05-105-W (\$4200); 05-042-A
 (\$14,000); 02-098-W (\$8400)
 Permit/ID Number: SC0037401
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(a)(1) (Supp. 2005)

Summary: South Carolina Public Service Authority (Respondent), d/b/a Santee Cooper owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for chronic toxicity.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to prevent future chronic toxicity violations and pay a civil penalty in the amount of four thousand two hundred dollars (\$4,200.00).

- 20) Order Type and Number: Consent Order 06-210-W
 Order Date: December 1, 2006
 Respondent: **Sandra Webb, LLC**
 Facility: McDonald's Restaurant
 Location/Mailing Address: P.O. Box 1318
 Lexington, S.C. 29072
 County: Lexington
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-110(d)
 (Supp. 2005) and 24 S.C. Ann. Regs. 61-9.122.41(e) (Supp. 2005)

Summary: Sandra Webb, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a McDonald's Restaurant (Site) that

involves the production, collection and disposal of used cooking oil and grease. The Respondent has violated the Pollution Control Act and associated regulations as follows: allowed the discharge of oil and grease from its food preparation system into the environment, including waters of the State.

Action: The Respondent has agreed to: submit a training schedule for all new personnel responsible for operating the collection and disposal system; include with the schedule signed statements from all personnel who have completed training to date; and pay a civil penalty in the amount of four thousand two hundred dollars **(\$4,200.00)**.

21) Order Type and Number: Consent Order 06-212-W
Order Date: December 4, 2006
Respondent: **JSI Roebuck, LLC**
Facility: JSI Roebuck Shopping Center
Location/Mailing Address: 207 Whitsett Street
Greenville, S.C. 29601
County: Spartanburg
Previous Orders: None
Permit/ID Number: 32323-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1) and
(3) (Supp. 2005) and S.C. Code Ann. Regs. 61-67.300(A)(1) (Supp. 2005)

Summary: JSI Roebuck, LLC (Respondent) owns and is responsible for construction activities at a shopping center located at the intersection of US Highway 221 and Stone Station Road in the Town of Roebuck, South Carolina. The Respondent has violated the Pollution Control Act and the Standards for Wastewater Facility Construction as follows: failure to obtain final approval to operate from the Department prior to placing a wastewater collection system (WWCS) into operation.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with the permits; comply with all applicable State and Federal Regulations; and pay a civil penalty in the amount of one thousand nine hundred dollars **(\$1,900.00)**.

22) Order Type and Number: Consent Order 06-214-W
Order Date: December 15, 2006
Respondent: **Greenwood Metropolitan District**
Facility: West Alexander WWTF
Location/Mailing Address: P.O. Box 775
Greenwood, S.C. 29648
County: Greenwood
Previous Orders: None in last five years

Permit/ID Number: SC0022870
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2005)

Summary: Greenwood Metropolitan District (Respondent) owns and is responsible for proper operation and maintenance of the West Alexander wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits for total copper.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a detailed summary of corrective actions taken to ensure compliance with the effluent discharge limits and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**). The civil penalty has been paid.

23) Order Type and Number: Consent Order 06-226-W
Order Date: December 15, 2006
Respondent **Town of Lyman**
Facility: Lyman WWTF
Location/Mailing Address: 81 Groce Road
Lyman, S.C. 29365
County: Spartanburg
Previous Orders: 02-194-W (\$8,000) and 03-134-W
(\$10,200)
Permit/ID Number: SC0021300
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp.2005)

Summary: The Town of Lyman (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: exceeded the permitted discharge limits for fecal coliform bacteria.

Action: The Respondent has agreed to: submit 3 copies of a Corrective Action Plan (CAP) addressing compliance with fecal coliform limits, containing an implementation schedule, that, upon approval by the Department, will become an enforceable part of this Order; and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

BUREAU OF AIR QUALITY

24) Order Type and Number: Consent Order 06-073-A
 Order Date: December 1, 2006
 Respondent: **Spartan Industries, Inc.**
 Facility: Spartan Industries
 Location/Mailing Address: 6860 South Pine Ext.
 Pacolet, S.C. 29372
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: 2060-0327
 Violations Cited: U.S. Environmental Protection
 Agency Regulations at 40 CFR 63, Subpart N, South Carolina Air
 Pollution Control Regulation 61-62.63, Subpart N, and S.C. Code Ann §
 48-1-110(d)

Summary: Spartan Industries, Inc. (Respondent) located in Pacolet, South Carolina, is a machine shop that operates a hard chrome electroplating process. The Respondent has violated Federal and State Regulations, in that it allowed the surface tension on the electroplating baths in Tank 1, Tank 3, and Tank 4 to exceed 45 dynes/cm and failed to maintain records of the date and time that fume suppressants were added to the electroplating baths.

Action: The Respondent has agreed henceforth to ensure that the surface tension of the tanks containing the electroplating baths do not exceed the limit established pursuant to the applicable regulations and its Permit and maintain records of the dates and times that fume suppressants are added to the electroplating baths. In addition the Respondent has agreed to pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**), payable in four (4) equal payments. The first payment has been received.

25) Order Type and Number: Consent Order 06-077-A
 Order Date: December 6, 2006
 Respondent: **Mr. Joseph Gibson & Mr.**
 Matthew Gibson d/b/a Gibson
 Brothers Construction
 Facility: Mr. Joseph Gibson & Mr. Matthew
 Gibson d/b/a Gibson Brothers
 Construction
 Location/Mailing Address: 103 Joseph Dr.
 Starr, S.C. 29684
 County: Chester
 Previous Orders: None
 Permit/ID Number: N/A

Violations Cited: U.S. EPA 40 CFR 61.145(b)(3)(i), 61.145(b)(3)(i), and 61.145(c), and South Carolina Air Pollution Control Regulation 61-86.1, Sections IV.B.5., IV.H., V.B.1.a., V.D., and XIII.B.1.a.

Summary: Mr. Joseph Gibson and Mr. Matthew Gibson d/b/a Gibson Brothers Construction (Respondent), located in Starr, South Carolina, is a demolition contractor and a licensed asbestos abatement contractor. The Respondent violated Federal and State regulations as follows: failed to provide written notification at least 10 working days prior to beginning an abatement project; failed to pay all applicable project license fees for the project; failed to obtain an asbestos project license prior to beginning the project; failed to meet the required work practice requirements for the project; failed to dispose of regulated asbestos containing materials (RACM) at a landfill approved to accept RACM; failed to provide written notification of intent to demolish two structures at least 10 working days prior to the demolitions; failed to pay all applicable project fees for the two demolition projects; and failed to obtain asbestos project licenses prior to beginning demolition of the two structures.

Action: The Respondent has agreed to: provide written notice of intent to demolish any regulated building or structure at least 10 working days prior to the demolition; obtain an asbestos project license prior to beginning demolition of any regulated building or structure; provide applicable written notice of intent prior to beginning any asbestos project involving RACM; obtain an asbestos project license prior to beginning any asbestos project involving RACM; ensure that no workers engage in an asbestos project involving RACM unless licensed by the Department; ensure that licensed workers adhere to the required work practices during an asbestos project involving RACM; ensure that RACM is stored and disposed of in accordance with the State regulations; pay a civil penalty in the amount of seven thousand dollars **(\$7,000.00)**; and pay a second civil penalty in the amount of three thousand dollars **(\$3,000.00)** payable in three installments. The Department has received a penalty in the amount of seven thousand dollars (\$7,000.00).

26)	<u>Order Type and Number:</u>	06-078-A
	<u>Order Date:</u>	December 6, 2006
	<u>Respondent:</u>	Phillips Industrial Services Corporation
	<u>Facility:</u>	Phillips Industrial Services Corporation
	<u>Location/Mailing Address:</u>	P.O. Box 37 Goose Creek, South Carolina 29455
	<u>County:</u>	Berkeley County
	<u>Previous Orders:</u>	05-05-HW (\$2000)
	<u>Permit/ID Number:</u>	CM-0420-0100

Violations Cited: U.S. EPA Regulations at 40 CFR 70.5(a) and South Carolina Air Pollution Control Regulation 61-62.70(a), Duty to Apply, and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements.

Summary: Phillips Industrial Services Corporation (Respondent), originally located in Mount Pleasant, South Carolina, operates a sandblasting and painting operation. The Department issued Conditional Major Air Quality Permit CM-0560-0227 to the Respondent, effective October 1, 2001. On September 20, 2004, the Department conducted a compliance inspection at the Respondent's facility in Mount Pleasant and observed equipment being dismantled, removed, and relocated to Goose Creek. The Respondent violated U.S EPA Regulations and South Carolina Air Pollution Control Regulations for failure to: submit an application for a Title V Air Quality Permit within 12 months of beginning operations of its facility and becoming a major source and obtain a construction permit from the Department.

Action: The Respondent agreed to henceforth apply for and obtain required Department-issued permits prior to installing, operating, or modifying any source of air contaminants, adhere to all applicable requirements of its Permit, and pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**) to be paid in six equal payments. The first payment has been paid.

27) Order Type and Number: Consent Order 06-079-A
Order Date: December 1, 2006
Respondent: **Custom Works Plating and Polishing**
Facility: Custom Works Plating and Polishing
Location/Mailing Address: 117 High St.
Duncan, South Carolina 29334
County: Spartanburg County
Previous Orders: None
Permit/ID Number: 2060-0388
Violations Cited: U.S. EPA Regulation 40 CFR 63, National Emission Standards For Hazardous Air Pollutants, Subpart N - National Emission Standards For Chromium Emissions From Hard And Decorative Chromium Electroplating And Chromium Anodizing Tanks and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: Custom Works Plating and Polishing (Respondent), located in Duncan, South Carolina, operates a small, specialty plating operation utilizing a decorative chrome-electroplating tank. The Respondent has violated U.S. EPA Regulations and State Air Pollution Regulations as follows: failure to apply for and obtain required Department-issued permits prior to installing and operating

sources of air pollutants, failure to submit an initial notification of the applicability for EPA regulations, and failure to prepare and implement an operation and maintenance plan.

Action: The Respondent has agreed to: within thirty (30) days of the execution date of this Order submit an application for a construction permit for the unpermitted sources in operation, henceforth ensure that it applies for and obtains required permits prior to installing, operating, or modifying sources of air pollutants, henceforth ensure that it maintains compliance with all record keeping and reporting requirements as required by its permit and the regulations, and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**.

28) Order Type and Number: Consent Order 06-080-A
 Order Date: December 15, 2006
 Respondent: **Blacklidge Emulsions, Inc.**
 Facility: Blacklidge Emulsions, Inc.
 Location/Mailing Address: 539 E. Poinsett St.
 Greer, South Carolina 29651
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.1, Section II, Permit Requirements

Summary: Blacklidge Emulsions, Inc. (Respondent) located in Greer, South Carolina, polymerizes asphalt and blends, stores, and distributes asphalt emulsions. The Respondent has violated South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements, in that it failed to obtain the required Department-issued permits prior to operating a source of air contaminants.

Action: The Respondent has agreed henceforth to request and obtain the required Department-issued permits or exemptions prior to installing and operating a source of air contaminants, including the installation of any device for the control of air contaminant discharges. In addition the Respondent has agreed to pay a civil penalty in the amount of three thousand two hundred dollars **(\$3,200.00)**.

29) Order Type and Number: CO 06-081-A
 Order Date: December 20, 2006
 Respondent: **Pepperidge Farm, Inc.**
 Facility: Pepperidge Farm, Inc.
 Location/Mailing Address: 10 Windham Boulevard
 Aiken, SC 29801

<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	CM-0080-0040
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d)

Summary: Pepperidge Farm (Respondent) produces bread and stuffing products for domestic consumption. The Respondent violated South Carolina Air Pollution Control Regulations as follows: S.C. Code Ann. § 48-1-110(d), in that it failed to submit its semiannual fuel combustion report for the reporting periods ending June 30 and December 31, 2005; failed to submit its annual VOC and HAP emissions report for the reporting period ending December 31, 2005; and failed to submit its annual temperature incident report for the reporting period ending December 31, 2005, as required by its Permit.

Action: The Respondent has agreed to: submit semiannual reports of the amounts and types of fuel combusted by the boiler in accordance with the schedule established by its Permit; submit annual reports of consumption records of all process-related materials that contain VOC and HAP, and VOC and HAP emissions calculated on a monthly basis as 12-month rolling sums in accordance with the schedule established by its Permit; submit annual reports of incidents of operation outside the permitted temperature range for the thermal oxidizer, or a letter indicating no such incidents occurred during the reporting period, in accordance with the schedule established by its Permit; and pay to the Department a civil penalty in the amount of four thousand five hundred dollars **(\$4,500.00)**.